
**Agriculture & Natural Resources
Committee**

HB 1210

Brief Description: Reducing statewide greenhouse gas emissions.

Sponsors: Representatives Chase, Morris, Kagi, Ormsby and Moeller.

Brief Summary of Bill

- Requires the Department of Ecology to adopt regulations requiring statewide greenhouse gas emissions to not exceed 1990 levels by 2020.
- Specifies a process and set of criteria for the Department of Ecology in determining the regulations.

Hearing Date: 1/24/07

Staff: Jaclyn Ford (786-7339).

Background:

The legislature has declared that air is an essential resource that must be protected from harmful levels of pollution, and that improving air quality is a matter of statewide concern and is in the public interest [RCW 70.94.011]. The federal Environmental Protection Agency, the Department of Ecology (DOE), and local clean air agencies, all regulate air quality. DOE implements and enforces air quality regulations in counties without an air pollution control agency. DOE also has jurisdiction over primary aluminum plants, pulp mills, vehicles, and vehicle-related sources of air pollution.

On September 27, 2006, California Governor Arnold Schwarzenegger signed the Global Warming Solutions Act (the Act). The Act caps California's greenhouse gas emissions at 1990 levels by 2020. Six of the greenhouse gases are regulated by the Act: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). The Act requires the State Air Resources Board to establish a program for statewide greenhouse gas emissions reporting and to monitor and enforce compliance with this

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

program. The Act also authorizes the state board to adopt market-based compliance mechanisms including cap-and-trade.

Summary of Bill:

Requires the DOE to adopt a rule by 2009 to identify the estimate for what the statewide greenhouse gas emissions level was in the year 1990. In the identification process, the DOE will evaluate the best scientific, technological, and economic information relating to historic greenhouse gas emissions. When the 1990 emissions standard is adopted it cannot be altered without legislative action.

By 2020, the annual levels statewide greenhouse gas emissions will not exceed 1990 levels. The DOE is authorized to establish rules for the significant sources of greenhouse gases.

By June 30, 2008, the DOE will adopt temporary rules that propose early action greenhouse gas emission reduction measures that can be implemented before the permanent rules are adopted. These proposals will be available for public comment no less than six months before adoption.

A scoping plan will be developed by the DOE prior to adopting permanent rules. The scoping plan will make recommendations on direct emissions reduction measures, alternative compliance mechanisms, market-based compliance mechanisms, and potential monetary and nonmonetary incentives for sources. The scoping plan will be updated at least once every five years.

Permanent rules will be adopted by the DOE by June 30, 2011. The rules must consider the overall societal benefits, ensure equitable distribution of emission allowances that minimize costs and maximize benefits, and must not disproportionately impact low-income communities. The rules must also ensure that entities that voluntarily reduced their emissions before the permanent rules were adopted receive appropriate credit.

The use of a market-based compliance mechanism may be used to achieve the annual statewide greenhouse gas emissions level. However it must be either a system of declining annual aggregate emissions limitations, or a system of greenhouse gas emissions exchanges, banking, or credits.

The DOE will also adopt rules by January 1, 2009 for annual greenhouse gas reporting from emissions sources.

Appropriation: None.

Fiscal Note: Requested on January 23, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.